IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 12TH DECEMBER 2006 / 21ST AGRAHAYANA 1928

WP(C).No. 13397 of 2006(T)

PETITIONER:

PREETHI.K.PILLAI, LECTURER IN
MATHEMATICS, NSS COLLEGE, RAJAKUMARI,
RESIDING AT JYOTHIS, KANGAZHA P.O. KOTTAYAM.

BY ADV. SRI.DILIP MOHAN

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, TRIVANDRUM.

2. THE DIRECTOR OF COLLEGIATE EDUCATION, TRIVANDRUM.

3. THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, ERNAKULAM.

4. THE PRINCIPAL,
NSS COLLEGE, RAJAKUMARI.

5. THE N.S.S.COLLEGE CENTRAL COMMITTEE,
REP. BY ITS SECRETARY, CHANGANACHERRY.

ADDL. R6 IMPLEADED.

6. MAHATMA GANDHI UNIVERSITY,
REPRESENTED BY THE REGISTRAR,
PRIYADARSINI HILLS, ATIRAMPUZHA, KOTTAYAM.

ADDL.R6 IMPLEADED AS PER ORDER IN I.A.17304/06 DATED 12.12.2006.

R4 & R5 BY ADV. SRI.P.G.PARAMESWARA PANICKER (SR.)
SRI.RAJAN NAMBRATH
R1 TO R3 BY GOVT. PLEADER SRI. A.J. VARGHESE.
ADDL.R6 BY ADV. SRI. V.A. MUHAMMED.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 13397/2006.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : A PHOTO COPY OF THE APPOINTMENT ORDER DATED 8.7.2004.

EXT. P2 : COPY OF THE ORDER DATED 20.12.2005 APPROVING THE APPOINTMENT OF THE PETITIONER.

EXT. P3 : COPY OF THE PROCEEDINGS OF THE 3RD RESPONDENT DATED 25.4.2006.

EXT. P4 : A TRUE COPY OF THE STATEMENT OF WORKLOAD ON THE BASIS OF STUDENT STRENGTH AS ON 1.11.2003.

K.M.JOSEPH, J.

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WP.(C) No.13397 OF 2006

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Dated this the 12th day of December, 2006

JUDGMENT

Case of the petitioner is as follows:

Petitioner was appointed vide Ext.P1 dated 8.7.2004. By Ext.P2 the appointment of the petitioner was approved. Salary bill was withheld by Ext.P3 proceedings by the third respondent. Petitioner relied on the judgment of this court reported in **Cherian Mathew v. Principal, S.B.College, Changanassery** (1998(2) K.L.T. 144).

2. Heard counsel appearing for the parties. Prayer is to quash Ext.P3 and to direct the respondents to disburse the salary of the petitioner.

Writ petition is disposed of as follows:

The third respondent will place his objections to the appointment and approval of the petitioner before the additional sixth respondent within a period of one month from the date of receipt of a copy of this judgment. Upon receipt of the objection, the sixth respondent will meticulously consider each and every objection of the third respondent and take a reasoned decision and the same shall be communicated to

the petitioner and the third respondent. If the decision of the sixth respondent is reiterating Ext.P2, the decision in **Cherian Mathew's Case** will govern the situation thereafter and the monetary benefits due to the petitioner will be disbursed to the petitioner without any further delay.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.